IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.2220 OF 2007
IN
SUIT NO.3938 OF 2001

Jamuna Darshan CHS Ltd. and others .. Plaintiffs
v/s.
M/s. J.M.C. & Meghani Builders and others .. Defendants

ALONGWITH

CHAMBER SUMMONS NO.999 OF 2007
IN
SUIT NO.3938 OF 2001

Jamuna Darshan CHS Ltd. and others .. Plaintiffs
v/s.
M/s. J.M.C. & Meghani Builders and others .. Defendants
And
Dinesh Purshotam Lalji and others .. Respondents

Mr. V.Y. Sanglikar i/by Mr. A.G. Damle for the applicant.
Mr. Navin Parekh i/by. Ms. Sukeshi Bhandari for the plaintiffs.
Mr. Y.T. John with Mr. A. Jay Panicker for the defendant No.1.

CORAM : A.M. KHANWILKAR, J.
DATED : 23RD JULY, 2007

P.C.

The plaintiffs are not seriously opposing the present chamber summons for impleadment of the applicants as defendant Nos.5,6 and 7. The main grievance of the plaintiffs is that the applicants' advocate, inspite of the repeated request, has not given inspection of the original documents on which the applicants are relying. Counsel for the applicants assures that all the original documents will be made available for inspection to the plaintiffs. He further

assures that xerox copies of the original documents in addition will be made available to the plaintiffs. The plaintiffs are willing to pay the cost for xerox copies of the said documents. Defendant No.1 has no objection for grant of the same.

2. In the circumstances, chamber summons is made absolute in terms of prayer clause (a). Plaintiffs to carry out amendment in the plaint as well as pending motion within one week from today. Notice of motion be placed under caption “Ad-interim” on 6th August, 2007. Earlier arrangement to continue till then. Parties may exchange pleadings in the meantime in the context of the amendment granted under this order. Chamber summons is disposed of in the above terms.

3. It is made clear that this arrangement is directed without prejudice to the rights and contentions of the parties in respect of merits of the case.

4. Grievance is made by defendant No.1 that the plaintiffs are not offering inspection of the original documents. It will be open to the defendant No.1 to send requisition within two days from today which will be immediately responded by the plaintiffs within one week from receipt thereof.

(A.M. KHANWILKAR, J.)